

FEDERAL DEFENDER SERVICES  
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May 13, 2008

Honorable Charles N. Clevert  
United States District Court  
Eastern District of Wisconsin  
517 E. Wisconsin Avenue  
Milwaukee, WI 53202

Re: *United States v. David Olofson*  
Case No. 06-CR-320 (CNC)

Dear Judge Clevert:

Enclosed with this letter is a copy of the transcript of proceedings before United States District Judge Donald E. Ziegler from the Western District of Pennsylvania. In the transcript, Judge Ziegler orders a judgment of acquittal on a number of machine gun counts because the AR-15 rifles at issue did not have auto sears and ATF ruling 81-4 (which is still in effect) requires an auto sear be present for the AR-15 with M-16 internal parts to be considered a machine gun.

I submit the transcript because Judge Ziegler's transcript may inform our discussions at today's hearing. This transcript was provided to me this morning from an attorney who saw the reports on this case by the Lou Dobbs Tonight program on CNN.

Thank you for your time and attention to this matter.

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Sincerely,

/s/ **Brian T. Fahl**  
Brian T. Fahl  
Counsel for David Olofson

BTF/cm

c: AUSA Gregory J. Haanstad

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